



IPW

**Patent**  
**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Keiji YADA, et al. ) Re: Information Disclosure  
Serial No.: 10/719,887 ) Statement  
Filed: November 21, 2003 ) Group: not yet assigned  
For: "X-RAY MICROSCOPIC INSPECTION APPARATUS" ) ) Examiner: not yet assigned  
 ) ) Our Ref: B-5308 621524-7  
 ) Date: September 1, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria VA, 22313-1450

Sir:

In accordance with the Applicants' duty to disclose information which may be material to the examination of this application, the undersigned respectfully requests that the Examiner consider on the merits the documents listed on the enclosed Form PTO-1449 (modified) before issuing the first Office Action on the merits. We are enclosing herewith a copy of each document listed on the enclosed Form PTO-1449 (modified).

It should be noted that the above-identified application may be related by subject matter to the following U.S. Application(s): 10/719,008, filed November 21, 2003. Pursuant to 37 C.F.R. 1.56(a) and M.P.E.P. 2004, paragraph 9, the applicant brings these co-pending applications to the attention of the Examiner. The Examiner should consider this information during the prosecution of the above-identified application. However, citation of these applications does not constitute an admission that the claims of the present application are substantially similar or similar to those of the applications listed above.

Japanese Document No. 2004-138460 is not in English. A concise English-language explanation of the relevance of Japanese Document No. 2004-138460 can be found in the enclosed English-language

Information Disclosure Statement  
USSN 10/719,887  
September 1, 2004  
Page 2

abstract and partial translation.

Japanese Document No. 2004-138460 was previously cited in a IDS filed on August 3, 2004. The document is being resubmitted because Japanese Document No. 2004-138460 was incorrectly mistyped on the Form PTO-1449 (modified) as Japanese Document No. 2001-138460 in the IDS filed on August 3, 2004.

The filing of this Information Disclosure Statement (IDS) shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The Applicants believe that this IDS is being submitted before the issuance of a first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance. Therefore, no official fees should be due; and this IDS should be considered on the merits. If this IDS is being submitted after the issuance of the first Office Action on the merits and before the issuance of a Final Rejection or Notice of Allowance, please contact the undersigned to authorize a payment of \$180.00 (or any other required amount), which is the fee set forth in 37 C.F.R. § 1.97(c), if the Examiner believes that such a fee is due in order for this IDS to be considered on the merits.

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. (Notice of January 9, 1992, 1135 O.G. 13-25, at 25.)

Information Disclosure Statement  
USSN 10/719,887  
September 1, 2004  
Page 3

The person making this statement is the practitioner who signs below on the basis of information supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)) and on the basis of information in the practitioner's file.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first-class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450", on September 1, 2004 by Shana Morda.

---



Respectfully submitted,



Robert Popa  
Attorney for Applicant  
Reg. No. 43,010

LADAS & PARRY  
5670 Wilshire Boulevard  
Suite 2100  
Los Angeles, CA 90036  
(323) 934-2300

Enclosures: Form PTO-1449 (modified) (1 page)  
Copy of documents listed on Form PTO-1449 (modified)



Information Disclosure Statement  
 USSN 10/719,887  
 September 1, 2004  
 Page 4

Form PTO-1449 (Modified)	ATTY DOCKET NO. B-5308 621524-7	U.S. SERIAL NO. 10/719,887
LIST OF PATENTS AND PUBLICATIONS STATEMENT	<b>APPLICANTS</b> Keiji YADA, et al.	
	FILING DATE November 21, 2003	GROUP not yet assigned

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME	CLASS	SUB-CLASS	FILING DATE or 102(e) DATE IF APPROPRIATE
	10/719,008		Yada et al.			11/21/2003

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	2004-138460	5/2004	JP			Abstract and partial translation

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

--	--

<b>EXAMINER</b>	<b>DATE CONSIDERED</b>

**EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.